

### **Remark**

Applicant respectfully requests reconsideration of this application as amended. No Claims have been amended. No Claims have been cancelled. Therefore, claims 1-61 are present for examination.

### **35 U.S.C. §103 Rejection**

#### *Persson in view of Uddenfeldt*

The Examiner has rejected claims 1-3, 10, 12, 19, 20, 25, 26, 30, 31, 36, 37, 43, 47-50, 53-57 and 59-61 under 35 U.S.C. §103 (a) as being unpatentable over Persson et al., U.S. Patent No., 6,647,000 ("Persson") in view of Uddenfeldt, et al., U.S. Patent No. 5,088,108 ("Uddenfeldt"). Persson has been discussed extensively in previous remarks. The Examiner relies on the new reference Uddenfeldt to show "the received message [from a user terminal] being timed relative to the first broadcast message to distinguish the received message as being directed to the first broadcasting terminal." This is the last clause in Claim 1.

At Col. 2, line 62 to Col. 3, line 2, multiple base stations transmit the same message information to the same mobile station at different times. The purpose of the time shift is to counteract the difference in arrival times. In other words, the signals from each base station are supposed to arrive at the one mobile station at the same time. This is intended to improve reception at the mobile station. (See Summary)

At Col. 3, lines 9-46, the same thing is further described. This section then discusses how the base stations decide how much time shift to apply. This is done by measuring receive times of signals from the mobile station. The mobile station also measures receive times.

In the Abstract, the same idea is described. The Abstract ends with "the same message information to a given mobile station from different base station transmitters arrive practically simultaneously at the mobile station."

At Col. 12, lines 59-67, Claim 8 appears. Here as in Col. 3, lines 31-46, the mobile station measures the arrival times of signals from the base stations. The mobile station sends the measurements to the base stations and the base stations use this information to apply a time shift to base station transmissions. The time shift, as stated in the Abstract, is to try to get the message from each base station to arrive at the mobile station at the same time.

Applicants respectfully submit that the Uddenfeldt approach is quite different from that of, for example, Claim 1. Claim 1 ends with, "receiving a message from a user terminal, the received message being timed relative to the first broadcast message to distinguish the received message as being directed to the first broadcasting terminal." In Uddenfeldt, the base stations receive a message from a mobile station. However Uddenfeldt does not discuss the timing of that message relative to a broadcast message. Uddenfeldt does not discuss distinguishing a received message as being directed to any particular broadcasting terminal.

Even reversing the signals. The base stations of Uddenfeldt do not appear to send their messages with any particular timing relative to a broadcast channel. In addition, there is no suggestion that timing is used to distinguish a base station transmission as being for a particular mobile station. Instead all the transmissions are intended for the same one mobile station.

The Examiner suggests that it would be obvious to modify Persson by transmitting a message timed relative to "the first broadcast message" as taught by

Uddenfeldt. However, neither the cited section at Col. 2, lines 35-40, nor any other cited section has anything to say about timing relative to broadcast messages. Instead Uddenfeldt discusses timing the transmission of a traffic message at one base station relative to the transmission of the same message to the same mobile station from other base stations.

The Examiner continues that combining Persson and Uddenfeldt would be obvious "in order to provide a method and a cellular digital mobile radio system which are also suitable for transmitting information requiring great accessibility/reliability and high transmission speed." While this may be true, it does not have anything to do with "timed... to distinguish the received message as being directed to the first broadcasting terminal" as recited in, for example, Claim 1. The Examiner has not pointed to anything in either reference that would suggest such a thing.

Applicants respectfully submit that neither reference presents any teaching or suggestion that a message be "timed... to distinguish the received message as being directed to the first broadcasting terminal." There is further no teaching or suggestion that the timing additionally be "relative to the first broadcast message." Absent such teachings and suggestions, the claims are believed to be allowable over the cited combination.

The claims not discussed specifically herein are believed to be allowable on the same grounds, as well as for the limitations expressly set forth in each claim, respectively.

### **35 U.S.C. §103 Rejection**

#### *Persson in view of Uddenfeldt in view of Dunn*

The Examiner has rejected claims 4, 5, 13, 14, 21, 32, 38, 45, 46, 51, 52 and 58 under 35 U.S.C. §103 (a) as being unpatentable over Persson in view Uddenfeldt, and as applied to claims 1, 10, 19, 30, 36, 43, 48 and 56 above; and further in view of Dunn et al., U.S. Patent No. 6,591,103 ("Dunn"). These rejections rely on Uddenfeldt discussed above and are accordingly traversed.

### **35 U.S.C. §103 Rejection**

#### *Persson in view of Uddenfeldt in view of Almgren*

The Examiner has rejected claims 6, 7, 15, 16, 22, 27, 33, 39, 40 and 44 under 35 U.S.C. §103 (a) as being unpatentable over Persson in view Uddenfeldt as applied to claims 1, 6, 10, 19, 25, 30, 36 and 43 above, and further in view of Almgren, et al., U.S. Patent No. 6,212,384 ("Almgren"). These rejections also rely on Uddenfeldt discussed above and are accordingly traversed.

### **Conclusion**

Applicant respectfully submits that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the rejections be withdrawn and the claims as amended be allowed.

### **Invitation for a Telephone Interview**

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

### **Request for an Extension of Time**

Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension.

Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,  
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Date: April 12, 2007



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